

PATENT COOPERATION TREATY

PCT

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference HM/PH/8300INT	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/IB 2002/005311	International filing date (day/month/year) 11.12.2002	Priority date (day/month/year) -
International Patent Classification (IPC) or national classification and IPC H04Q 7/32, H04Q 7/22, H04Q 7/38		
Applicant Nokia Corporation et al		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a.  (sent to the applicant and to the International Bureau) a total of \_\_\_\_\_ sheets, as follows:
    - sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b.  (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:
  - Box No. I Basis of the report
  - Box No. II Priority
  - Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - Box No. IV Lack of unity of invention
  - Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - Box No. VI Certain documents cited
  - Box No. VII Certain defects in the international application
  - Box No. VIII Certain observations on the international application

Date of submission of the demand 24.06.2004	Date of completion of this report 21.03.2005
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**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

International application No.

PCT/IB 2002/005311

**Box No. I Basis of the report**

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:

- international search (under Rules 12.3 and 23.1(b))
- publication of the international application (under Rule 12.4)
- international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished

the description:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the claims:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the drawings:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3.  The amendments have resulted in the cancellation of:

the description, pages \_\_\_\_\_

the claims, Nos. \_\_\_\_\_

the drawings, sheets/figs \_\_\_\_\_

the sequence listing (*specify*): \_\_\_\_\_

any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages \_\_\_\_\_

the claims, Nos. \_\_\_\_\_

the drawings, sheets/figs \_\_\_\_\_

the sequence listing (*specify*): \_\_\_\_\_

any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB 2002/005311

**Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

the entire international application

claims Nos. 31 and 32

because:

the said international application, or the said claims Nos. \_\_\_\_\_  
relate to the following subject matter which does not require an international preliminary examination (*specify*):

the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 31, 32  
are so unclear that no meaningful opinion could be formed (*specify*):

Claims 31 and 32 are not drafted in terms of technical features of the invention. The claims do not meet the requirements of Article 6 PCT.

the claims, or said claims Nos. \_\_\_\_\_ are so inadequately supported by the description that no meaningful opinion could be formed.

no international search report has been established for said claims Nos. \_\_\_\_\_

the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

has not been furnished

does not comply with the standard

the computer readable form

has not been furnished

does not comply with the standard

the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in the Annex C-bis of the Administrative Instructions.

See Supplemental Box for further details.

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

## 1. Statement

Novelty (N)	Claims	<u>2-4, 8-10, 14, 16, 21, 22, 25, 27-29</u>	YES
	Claims	<u>1, 5-7, 11-13, 15, 17-20, 23, 24, 26, 30</u>	NO
Inventive step (IS)	Claims	_____	YES
	Claims	<u>1-30</u>	NO
Industrial applicability (IA)	Claims	<u>1-30</u>	YES
	Claims	_____	NO

## 2. Citations and explanations (Rule 70.7)

## The claimed invention

The present invention relates to transferring personal data and/or settings between a server and mobile device.

From the description, it is difficult to understand the contribution to the art which the inventor has made (Rule 5.1 (a) (iii)), see also box VIII.

Reference is made to the following documents:

D1: WO9949643 A1

D2: WO9955067 A1

D3: US5206899 A

D4: SyncML Sync Protocol, version 1.0.1, 2001-06-16.

D1 describes that a user of the terminal can change the subscriber specific profiles, stored in the server, via their own terminal.

D2 discloses that a user profile can be stored in a terminal. The user profile form can be edited and submitted to the telecommunication network operator's system issuing user profiles.

D3 is considered to merely disclose the state of the art and is not commented on further.

D4 describes that personal data can be transferred between a device and a server.

.../...

## Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

## Reasoned statement

Claims 1, 17, 26 and 30 do not differ from what is known from D4: An session initiation message for setting up a session is transmitted, (pages 26-33). Therefore, the claims 1, 17, 26 and 30 are not novel.

Claim 27 does not meet the requirement of Article 6, PCT, see box VIII. How the data structure is organized is considered not to be a technical solution of a problem. The data structure is considered to show only obvious details to a person skilled in the art. Consequently, claim 27 lacks an inventive step.

Claim 2 is not considered to involve an inventive step, see the reasoning stated for claim 27.

The credentials (pages 21-23) in D4 are considered to be equivalent with the PIN code and the parameter identifying the user. Accordingly, the claims 5-7, 11-13, 15, 18-20, 23 and 24 lack novelty.

Claims 3, 4, 8-10, 14, 16, 21, 22, 25, 28 and 29 are considered as constructional details which do not involve an inventive step.

Thus, the invention defined in claims 1, 5-7, 11-13, 15, 17-20, 23, 24, 26 and 30 is not new and consequently lacks novelty and inventive step. The invention defined in claims 3-4, 8-10, 14, 16, 21, 22, 23, 24 and 27-29 is not considered to involve an inventive step. The invention is industrially applicable.

**Box No. VIII Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 1, 17, 26 and 27 do not meet the requirements of Article 6 PCT in that the matter for which protection is sought is not clearly defined.

It is difficult to understand which technical feature actually constitutes the invention and what is added to prior art.

To formulate the claims more clearly, the independent claims should be in two parts in accordance with Rule 6.3(b) PCT. The first part should contain a statement indicating the designation of the subject matter of the invention, followed by relevant technical features of prior art. The second part should state the technical feature, it is desired to protect, i.e. the features which the invention adds to prior art.